

GAUTHIER & CONNORS LLP

ATTORNEYS AT LAW
PATENTS TRADEMARKS AND COPYRIGHTS

225 FRANKLIN STREET, SUITE 3300
BOSTON, MASSACHUSETTS 02110

TELEPHONE (617) 426-0180
WRITER'S EXT.: 123

FAX (617) 426-2275
Email: rstevens@gc-law.com

FACSIMILE TRANSMISSION

TO: The United States Patent and Trademark Office **FROM:** Richard L. Stevens, Jr.

ATTN: Examiner Koyama

FAX NO: 571-273-2394

DATE: February 12, 2004

RE: U.S. Patent Appln. Ser. No. 10/056,352
Our File: 5043 CON


NO. OF PAGES TO FOLLOW: 1

REMARKS:

Dear Examiner Koyama,

As discussed, please review the attached draft claim and then give me a call in order that we can discuss the same.

Very truly yours,



Richard L. Stevens, Jr.

The documents transmitted by this facsimile are intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us at the above address via the Postal Service. Thank you.

22. (Amended) A test tube, comprising:

a tube body of unitary construction comprising an enclosed sidewall and an integral bottom that together define a tubular container having an open top, wherein said bottom has an exterior surface coated with an opaque coating upon which machine readable data is encoded ~~within an opaque coating deposited onto said exterior surface~~ to uniquely identify said test tube.

FOR DISCUSSION PURPOSES ONLY